

indicates that a copy of the PTO-1449 submitted with the Information Disclosure Statement filed on March 18, 2004 is not in the Patent Office file. For the Examiner's convenience, Applicants are resubmitting this form, together with the date-stamped receipt. Applicants request that the Examiner initial and return a copy of this form in the next office communications.

II. Claim Rejections - 35 USC § 112

The Examiner has rejected claims 19 and 20 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner contends that the claims contain subject matter which was not described in the Specification.

With respect to claim 19, Applicants submit that the Specification at paragraph 26 fully supports the claimed feature. The Specification describes that the selective reflection panel 130 may be configured to transmit light with an angle A that is 30° or less (last sentence of paragraph 26). Therefore, the panel will reflect light with an angle A that is greater than 30° (see also second sentence of paragraph 26).

With respect to claim 20, Applicants submit that the Specification at paragraph 23, last sentence, fully supports this feature. The Specification describes that the holographic pattern 120 can be provided on a lower surface 113 and/or an upper surface 114 of the lower substrate 110. Therefore, the Specification is fully enabling to one skilled in the art.

Applicants also note that the Examiner must determine the patentability of the claims under all statutory provisions (e.g., §102 and §103), even if the Examiner considers it new matter. See MPEP §2163 at page 2100-176. Since the Examiner has only rejected claims 19 and

20 under §112, first paragraph, Applicants submit that any new rejection of claims 19 and 20 must be on a non-final basis.

III. Claim Rejections - 35 USC § 102

The Examiner has rejected claims 1, 2, 4 and 5 under 35 U.S.C § 102(e) as being anticipated by Yamamura (US Publication No. 2003/0067565) ["Yamamura"]. For at least the following reasons, Applicants traverse the rejection.

Claim 1 recites a liquid crystal display device that comprises "a lower substrate ... [and] a selective reflection panel provided on the upper surface of the lower substrate to reflect light having a predetermined incident angle or more and transmit the remaining light." (emphasis added) The Examiner contends that the combination of the color filter 114 and the lower polarizer plate 150 corresponds to the claimed selective reflection panel.

The Examiner responds to Applicants' argument that Yamamura is silent with respect to the reflection properties of the color filter and polarizer by stating:

Applicants' are directed to paragraph [0033] (page2) which disclose "a lower polarizing plate 150 for transmitting light beams ... in a predetermined direction" (i.e., reflect the remaining light in a predetermined direction). It should also be noted that feature of "predetermined direction" and "predetermined angle" would be the same as well (since the light direction would be made a corresponding angle with respect to the surface where reflected/transmitted)

Office Action at page 5.

Applicants submit that the Examiner has misinterpreted the teachings of the Yamamura. The cited section describes that the lower polarizer is "for transmitting light beams vibrating only in a predetermined direction..." (emphasis added.) Accordingly, when taken in context, the

“predetermined direction” is with respect to a polarization direction of the light, not with respect to the angle of incidence on the surface of the polarizer.

Yamamura is silent with respect to the reflection characteristics of the polarizer and color filter with respect to a predetermined incident angle. Therefore, Yamamura does not disclose or suggest the claimed selective reflection panel as set forth in claim 1.

In addition, Applicants submit that the Examiner’s contention that light that is not transmitted by polarizer 150 is reflected is not supported in the prior art. A polarizer blocks light that it does not transmit. Here, one skilled in the art would conclude that polarizer 150 blocks light that does not have a vibration (polarization) in a predetermined direction. There is no disclosure or suggestion in Yamamura that light is reflected off polarizer 150.

To the extent that the Examiner may be contending that some light is inherently reflected, Applicants submit that claims terms must be given their broadest reasonable interpretation, and the interpretation must be consistent with that one skilled in the art would reach. See MPEP at 2100-47. The fact that all objects have some reflective properties does not mean that one skilled in the art would interpret all objects as selective reflectors. Here, the Examiner gives no evidence to support his position that one skilled in the art would interpret a polarizer as a selective reflector.

Applicants submit that claims 2, 4 and 5 are patentable at least by virtue of their dependency.

IV. Claim Rejections - 35 USC § 103

The Examiner has rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Yamamura. For at least the following reason, Applicants traverse the rejection.

Applicants submit that claim 3 is patentable at least by virtue of its dependency.

The Examiner has rejected claims 6-8 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Yamamura in view of Ochiai (US 6,196,691) [“Ochiai”]. For at least the following reason, Applicants traverse the rejection.

Because Ochiai does not cure the deficient teachings of Yamamura, Applicants submit that claims 6-8 and 21 are patentable at least by virtue of their dependency on claim 1.

V. Allowable Subject Matter

Applicants thank the Examiner for finding allowable subject matter in claim 18 and for indicating that claim 18 would be allowable if rewritten in independent form.

Applicants hold rewriting claim 18 in abeyance until the subject matter regarding claim 1 is resolved.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Response under 37 C.F.R. § 1.116
U.S. Serial No. 10/624,541

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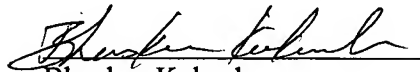
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